office without being properly stamped, the presiding Judge or the head of the office, as the case may be, or, in the case of a High Court, any Judge of such Court, may, if he thinks fit, order that such document be stamped as he may direct; and, on such document being stamped accordingly, the same and every proceeding relative thereto shall be as valid as if it had been properly stamped in the first instance.

Amended document.

29. Where any such document is amended in order merely to correct a mistake and to make it conform to the original intention of the parties, it shall not be necessary to impose a fresh stamp.

Cancellation of stamp.

30. No document requiring a stamp under this Act shall be filed or acted upon in any proceeding in any Court or office until the stamp has been [1] cancelled.

Such officer as the Court or the head of the office may from time to time appoint shall, on receiving any such document, forthwith effect such cancellation by punching out the figure-head so as to leave the amount designated on the stamp untouched, and the part removed by punching shall be burnt or otherwise destroyed.

CHAPTER VI.

MISCELLANEOUS.

Repayment of fees paid on applications to Criminal Courts.

31. i. Whenever an application or petition containing a complaint or charge of an offence, other than an offence for which police-officers may arrest without warrant, is presented to a Criminal Court, the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay to the complainant the fee paid on such application or petition.

ii. In the case mentioned in section 18, the Court, if it convict the accused person, shall, in addition to the

[1] For rules regulating the cancellation of stamps in the Courts of Ajmer-Merwara, *see* Gazette of India, 1903, Pt. II, p. 1088.

the penalty imposed upon him, order him to repay to the complainant the fee, if any, paid by the latter for the examination.

iii. When the complainant has paid fees for serving processes in either of the cases mentioned in the first and second paragraphs of this section, the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay such fees to the complainant.

iv. All fees ordered to be repaid under this section may be recovered as if they were fines imposed by the Court.

32. [*Amendment of Act VIII of 1859 and Act IX of 1869.*] *Rep. by the Repealing and Amending Act, 1891* (*XII of 1891.*)

Admission in criminal cases of documents for which proper fee has not been paid.

33. Whenever the filing or exhibition in a Criminal Court of a document in respect of which the proper fee has not been paid is, in the opinion of the presiding Judge, necessary to prevent a failure of justice, nothing contained in section 4 or section 6 shall be deemed to prohibit such filing or exhibition.

Sale of stamps.

[1]34. (*1*) The Local Government may from time to time make [2]rules for regulating the sale of stamps to be used under this Act, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons.

(*2*) All

[1] This section was substituted for the original section by the Repealing and Amending Act, 1891 (12 of 1891), Genl. Acts, Vol. IV.

[2] For rules made by:—

Ajmer Merwara . .	*see* Gazette of India, 1903, Pt. II, p. 1068.
Bengal . . .	*see* Ben. Stat. R. and O. Vol. II and Calcutta Gazette, 1907, Pt. I, p. 432.
Bombay . . .	*see* Bombay R. and O., Vol. I and Bombay Government Gazette, 1907, Pt. I, p. 723.
Burma . . .	*see* Burma Gazette, 1902, Pt. I, p. 95.
Central Provinces . .	*see* Central Provinces Gazette, 1902, Pt. III, p. 70; *ibid*, 1903, Pt. III, p. 47.
Eastern Bengal and Assam	*see* E. B. and Assam Gazette, 1908, Pt. II, p. 642.
Punjab . . .	*see* Punjab Government Gazette, 1900, Pt. I, p. 406.
United Provinces . .	*see* North Western Provinces and Oudh Gazette, 1900, Pt. I, p. 621.

(*2*) All such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

(*3*) Any person appointed to sell stamps who disobeys any rule made under this section, and any person not so appointed who sells or offers for sale any stamp, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Power to reduce or remit fees.

35. The Governor General of India in Council may, from time to time by [1]notification in the Gazette of India, reduce or remit in the whole or in any part of British India, all or any of the fees mentioned in the first and second schedules to this Act annexed,

and may in like manner cancel or vary such order.

Saving of fees to certain officers of High Courts.

36. Nothing in Chapters II and V of this Act applies to the commission payable to the Accountant-General of the High Court at Fort William, or to the fees which any officer of a High Court is allowed to receive in addition to a fixed salary.

SCHEDULE I.

[1] For reductions and remissions of duty made under this power, *see* Notification No. 4650, dated 10th September, 1889, as amended and added to by subsequent notifications, in Appendix attached.